

51-6

United States District Court, Northern District of Illinois

8

Name of Assigned Judge or Magistrate Judge	James B. Moran	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	00 C 4854	DATE	5/31/2002
CASE TITLE	Dolores J. Russo vs. B & B Catering, Inc. et al.		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

## MOTION:

## Memorandum Opinion and Order

## DOCKET ENTRY:

- (1) ☐ Filed motion of [ use listing in "Motion" box above.]
- (2) ☐ Brief in support of motion due \_\_\_\_.
- (3) ☐ Answer brief to motion due \_\_\_\_\_. Reply to answer brief due \_\_\_\_\_.
- (4) ☐ Ruling/Hearing on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (5) ☐ Status hearing[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (6) ☐ Pretrial conference[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (7) ☐ Trial[set for/re-set for] on \_\_\_\_\_ at \_\_\_\_\_.
- (8) ☐ [Bench/Jury trial] [Hearing] held/continued to \_\_\_\_\_ at \_\_\_\_\_.
- (9) ☐ This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]  
☐ FRCP4(m) ☐ General Rule 21 ☐ FRCP41(a)(1) ☐ FRCP41(a)(2).
- (10) ☒ [Other docket entry] Prove-Up hearing held. Enter Memorandum Opinion and Order. She is not, therefore, entitled to recovery of the premiums but she is entitled to the coverage she would have had. That amount is \$14,684.98. Accordingly, we award fees of \$10,932 and costs of \$2,340.77. The total amount of the judgment is \$27,957.75.
- (11) ☒ [For further detail see order attached to the original minute order.]

<input type="checkbox"/> No notices required, advised in open court.	<p>U.S. DISTRICT COURT</p> <p>CLERK</p> <p>02 JUN - 3 AM 9:56</p> <p>FILED-ED 10</p> <p>Date/time received in central Clerk's Office</p>	number of notices	<p>Document Number</p> <p>41</p>
<input type="checkbox"/> No notices required.		JUN 4 2002 date docketed	
<input type="checkbox"/> Notices mailed by judge's staff.		<i>law</i> docketing deputy initials	
<input type="checkbox"/> Notified counsel by telephone.		date mailed notice	
<input checked="" type="checkbox"/> Docketing to mail notices.		mailing deputy initials	
<input checked="" type="checkbox"/> Mail AO 450 form.			
<input type="checkbox"/> Copy to judge/magistrate judge.			
WAH	courtroom deputy's initials		

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

DOLORES J. RUSSO,

Plaintiff,

vs.

B & B CATERING, INC., and  
JEFFREY DZIEDZIC,

Defendants.

No. 00 C 4854

DOCKETED  
JUN 4 - 2002

MEMORANDUM OPINION AND ORDER

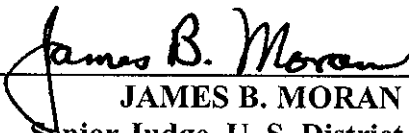
In her prove-up of damages following a liability finding, plaintiff has established that she paid \$1,584.22 for medical insurance she did not have, that she has paid \$2,620 for medical prescriptions that should have been covered, that she has paid \$1,762.70 for medical bills that should have been covered, and that she has incurred medical expenses of \$10,302.28 that should have been covered. The purpose is to restore plaintiff to the same position she would have been in if defendant had not permitted the insurance to lapse. If that had happened, she would have paid the premiums and she would have been covered. She is not, therefore, entitled to recovery of the premiums but she is entitled to the coverage she would have had. That amount is \$14,684.98.

She is also entitled to attorney's fees and costs. We have no quarrel with the costs of \$2,340.77, or with the number of hours expended. We do think, however, that \$180 is a bit high for an associate with the firm about two years, who began working on the case when she joined the firm. We think \$150 per hour is reasonable, as approved by Judge Kennelly in Hobson v. Lincoln Insurance Agency, Inc. Accordingly, we award fees of \$10,932 and costs

of \$2,340.77.

The total amount of the judgment is \$27,957.75.

May 31, 2002.

  
\_\_\_\_\_  
JAMES B. MORAN  
Senior Judge, U. S. District Court